
APPENDIX A
APPLICABLE REGULATIONS

Appendix A: Applicable Regulations

Air Quality:

- **The Clean Air Act of 1970, (42 USC §§ 7401 et seq.),** regulates air emissions from area, stationary, and mobile sources. Under this law, National Ambient Air Quality Standards (NAAQS) are established for each state by the EPA in order to protect public health and the environment (EPA 2003).

Noise:

- **43 Code of Federal Regulations (CFR) 423.39** puts forth standards on vessels on Reclamation waters, including requirements for safety equipment, effective exhaust mufflers, and maintenance of vessels.

Geological Resources:

- **The Alquist-Priolo Earthquake Fault Zoning Act of 1972** was passed to mitigate the hazard of surface faulting to structures for human occupancy. The act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults.

Caves:

Federal Laws and Statutes

- **The Federal Cave Resources Protection Act of 1988 (16 US Code [USC] 4301 – 4309)** requires inventory of significant caves on Federal lands, implementation of management measures, and provides certain protections of cave resources. It requires that significant caves are considered in the preparation of resource management plans and that the public be invited to participate in planning. It provides for the issuance of permits for collection or removal of cave resources and identifies criminal and civil penalties for prohibited acts.

State Laws and Statutes

- **The California Cave Protection Act (Section 594-625c of the California Penal Code)** makes it a misdemeanor to perform certain acts that damage cave features or resources.

Water Resources:

Federal Laws and Statutes

- **The Clean Water Act of 1987, as amended (33 USC 1251),** establishes objectives to restore and maintain the chemical, physical, and biological integrity of the nation's water;

- **The Federal Water Pollution Control Act (33 USC 1323)** requires the Federal land manager to comply with all Federal, state, and local requirements, administrative authority, processes, and sanctions regarding the control and abatement of water pollution in the same manner and to the same extent as any nongovernmental entity;
- **The Safe Drinking Water Act (42 USC 201)** is designed to make the nation's waters drinkable and swimmable. Amendments in 1996 establish a direct connection between safe drinking water and watershed protection and management;
- **The Flood Control Act of 1944 (16 USC 460(d) et seq.; 33 USC 701 et seq.)** authorizes the US Army Corps of Engineers (USACE) to construct, maintain and operate public park and recreational facilities at water resources development projects. While planning such projects, the USACE is required by this act to consult with the Secretary of the Interior on certain projects, and reports for such projects were to contain the opinions of governors of affected states as well as the Secretary of the Interior.
- **The Appropriations Act of 1952, McCarran Amendment**, allows the US to be joined as a defendant in any suit for the general adjudication of water rights;
- **The Watershed Protection and Flood Control Act of 1954**, as amended, directs the Federal government to cooperate with states and their political subdivisions, soil or water conservation districts, flood prevention or control districts, and other local public agencies to prevent erosion or flood water and sediment damage;
- **The Water Resources Research Act of 1954**, as amended, permits the Secretary of the Interior to give grants to, and cooperate with, Federal, state, and local agencies to undertake research into any water problems related to the mission of the department;
- **The Water Resources Planning Act of 1965**, as amended, establishes the Water Resources Council, which is directed to maintain studies of water supplies and water programs. The chairman of any river basin commission can request from an agency, and that agency is authorized to furnish, such information as is necessary to carry out its functions;
- **The Water Resources Development Act of 1974** directs agencies to consider the full range of potentially useful measures in all projects involving reduction of flood losses;
- **Executive Order 11288** requires heads of agencies to provide leadership in the field of water quality management and requires Federal facilities to develop pollution abatement plans;
- **Executive Order 11507** directs the Federal government in the design, operation, and maintenance of its facilities to provide leadership in the nationwide effort to protect and enhance the quality of air and water resources. It provides for action necessary to correct air and water pollution at existing facilities to be completed or underway by

December 31, 1972, and requires surveillance to ensure that water quality standards are met;

- **Executive Order 11514, as amended by Executive Order 11991**, directs Federal agencies to provide leadership in protecting and enhancing the quality of the nation's environment to sustain and enrich human life. It provides for continued monitoring, evaluation, and control of the activities of each Federal agency, as well as development of programs and measures to protect and enhance environmental quality and to exchange data and research results and cooperate with other agencies to accomplish the goals of NEPA;
- **Executive Order 11738** directs each Federal agency to enforce the Clean Air Act and the Clean Water Act in the procurement of goods, materials, and services;
- **Executive Order 11752** mandates that Federal agencies provide national leadership to protect and enhance the quality of air, water, and land resources by complying with applicable Federal, state, interstate, and local pollution standards. This order mentions the Clean Air Act, Federal Water Pollution Control Act, Solid Waste Act, Noise Control Act, insecticide and pesticide acts, and NEPA;
- **President's Letter of May 26, 1974**, creates the Interagency Committee on Water Resources and establishes interagency participation in river basin planning. The Federal agencies concerned executed a memorandum of agreement that assigns interagency cooperation to coordinate water and related land resource activities;
- **Executive Order 11988, Floodplain Management, as amended by EO 12148**, directs each Federal agency to take action to avoid the long- and short-term adverse impacts associated with the occupancy and modification of floodplains. Agencies are further required to avoid direct or indirect support of floodplain development whenever there is a practicable alternative;
- **Executive Order 11990, Protection of Wetlands**, directs Federal agencies to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial value of wetlands in carrying out programs affecting land use;
- **Executive Order 12088, Federal Compliance with Pollution Control Standards**, requires all Federal agencies to comply with local standards and limitations relating to water quality. As a wastewater management agency, each Federal agency is bound to recognize and adopt the policies, goals, and standards of approved Section 208 area-wide water quality management plans in regard to those Federal lands under its jurisdiction. Each agency also must implement plan standards to the maximum extent feasible in its own planning process and management activities;
- **Executive Order 12322** requires that any report, proposal, or plan relating to a Federal or Federally assisted water and related land resources project or program

must be submitted to the Director, Office of Management and Budget, before submission to Congress;

Reclamation Policies and Regulations

- **Reclamation Manual Policy CMP P01: Floodplain Management-** To (1) reduce the vulnerability of the nation to loss of life and property and the disruption of societal and economic pursuits caused by flooding or facility operations; and (2) sustain, restore, or enhance the natural resources, ecosystems, and other functions of the floodplain; and
- **Reclamation Manual Standard/Directive CMP 01-01: Floodplain Management Directives-** To (1) reduce the vulnerability of the nation to loss of life and property and the disruption of societal and economic pursuits caused by flooding or facility operations; and (2) sustain, restore, or enhance the natural resources, ecosystems, and other functions of the floodplain.

Cultural Resources

Federal Laws and Statutes

- **An Act for the Preservation of American Antiquities [Antiquities Act of 1906] (PL 59-209; 34 Stat. 225; 16 USC 432, 433)** made it unlawful for any person to appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the Government of the United States.
- **Historic Sites Act of 1935 (PL 74-292; 49 Stat. 666; 16 USC 461).** This act declares a national policy to identify and preserve nationally significant “historic sites, buildings, objects and antiquities.” It authorizes the National Historic Landmarks program and provides the foundation for the National Register of Historic Places authorized in the National Historic Preservation Act of 1966. Regulations implementing the National Historic Landmarks Program are at 36 CFR Part 65.
- **National Historic Preservation Act of 1966 and amendments (PL 89-665; 80 Stat. 915; 16 USC 470).** The NHPA creates the National Register of Historic Places and extends protection to historic places of state and local as well as national significance. It establishes the Advisory Council on Historic Preservation, State Historic Preservation Officers, Tribal Preservation Officers, and a preservation grants-in-aid program. Section 106 directs Federal agencies to take into account effects of their actions (“undertakings”) on properties in or eligible for the National Register.
- **National Environmental Policy Act of 1969 (PL 91-190; 83 Stat. 852; 42 USC 4321).** NEPA states that it is the Federal government’s continuing responsibility to use all practicable means to preserve important historic, cultural, and natural aspects of our national heritage. It instructs Federal agencies to prepare environmental impact statements for each major Federal action having an effect on the environment.

- **American Indian Religious Freedom Act of 1978 (PL 95-341; 92 Stat. 469; 42 USC 1996).** AIRFA states that “it shall be the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites”.
- **Archaeological Resources Protection Act (ARPA) of 1979 (PL 96-95; 93 Stat. 721; 16 USC 470aa-470mm), as amended (PL 100-555; PL 100-588).** ARPA expands the protections provided by the Antiquities Act of 1906 in protecting archaeological resources and sites located on public and Indian lands. ARPA has felony-level penalties for excavating, removing, damaging, altering, or defacing any archaeological resource more than 100 years of age, on public or Indian lands, unless authorized by a permit.
- **Native American Graves Protection and Repatriation Act of 1990 (PL 101-601; 25 USC 3000-3013; 104 Stat. 3048-3058).** NAGPRA provides for disposition of cultural items from Federal or tribal lands. The ownership or control of Native American cultural items that are excavated or discovered on Federal or tribal lands after 1990 is determined by a custody hierarchy set out in the statute.
- **Reservoir Salvage Act of 1960, as amended (16 USC 469-469c)** extended the Historic Sites Act of 1935. It gave the Department of the Interior, through the National Park Service, major responsibility for preserving archaeological data that might be lost specifically through dam construction.
- **Curation of Federally-Owned and Administered Archeological Collections (36 CFR Part 79).** The regulations in this part establish definitions, standards, procedures, and guidelines to be followed by Federal agencies to preserve collections of prehistoric and historic material remains and associated records.
- **Determinations of Eligibility for Inclusion in the National Register (36 CFR Part 63).** These regulations were developed to assist Federal agencies in identifying and evaluating the eligibility of properties for inclusion in the National Register.
- **National Register of Historic Places (36 CFR Part 60).** These regulations describe the criteria for eligibility for inclusion of properties in the NRHP.
- **Protection of Historic Properties (36 CFR Part 800).** These regulations describe the Section 106 Process.
- **Public Conduct on Bureau of Reclamation Facilities, Lands, and Waterbodies (43 CFR Part 423).** These regulations intend to maintain law and order and protect persons and property within Reclamation projects and on Reclamation facilities, lands, and waterbodies by specifying areas open and closed to public use.

- **Executive Order 13751, Consultation and Coordination with Indian Tribal Governments, 63 FR 96.** Executive Order 13175 was issued to establish regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications. When implementing such policies, agencies shall consult with tribal officials as to the need for Federal standards and any alternatives that limit their scope or otherwise preserve the prerogatives and authority of Indian tribes.
- **Government-to-Government Relations with Native American Tribal Governments (Memorandum signed by President Clinton; April 29, 1994) (Federal Register, Vol. 59, No. 85).** The memorandum directs Federal agencies to consult, to the greatest extent practicable and to the extent permitted by law, with tribal governments prior to taking actions that affect Federally recognized tribal governments. Federal agencies must assess the impact of Federal government plans, projects, programs, and activities on tribal trust resources and assure that tribal government rights and concerns are considered during such development.
- **Executive Order 11593, Protection and Enhancement of the Cultural Environment, 36 FR 8921,** directs Federal agencies to inventory cultural properties under their jurisdiction, to nominate to the National Register all Federally owned properties that meet the criteria, to use due caution until the inventory and nomination processes are completed, and to assure that Federal plans and programs contribute to preservation and enhancement of non-Federal properties.
- **Executive Order 13007, Indian Sacred Sites, 61 FR 104, directs Federal agencies in managing Federal lands to** 1) accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners; and 2) avoid adversely affecting the physical integrity of such sacred sites.
- **Executive Order 13287, Preserve America 2003,** directs Federal agencies to improve their management of historic properties and to foster heritage tourism in partnership with local communities.

Department of Interior Directives

- **Departmental Manual 411, “Managing Museum Property,”** sets the policy for the collection, management, and care of museum property for all DOI bureaus. Museum property is a subset of the larger personal property category within DOI, thus property law and regulations apply.

Reclamation Policies and Regulations

- **Cultural Resources Management Policy LND-P01.** Cultural resources are recognized as fragile, irreplaceable resources with potential public and scientific uses, and represent an important and integral part of our Nation’s heritage. It is Reclamation’s practice to:

1. Manage cultural resources under Reclamation jurisdiction or control according to their relative importance, to protect against impairment,

destruction, and inadvertent loss, and to encourage and accommodate the uses determined appropriate through planning and public participation.

2. Manage cultural resources under cultural resource statutes and the planning and decision making processes as are followed in managing other public land resources.
3. Ensure that tribal issues and concerns are given consideration during planning and decision making, including fire management planning and decision making for specific fire management projects.

This policy is not limited to Reclamation's activities that affect Federal lands. It is the responsibility of Reclamation to assure that its actions and authorizations are considered in terms of effects on cultural resources located on non-Federal lands. Fire management planning and activities on site-specific projects that involve non-Federal land shall consider this responsibility.

- **Cultural Resources Management LND 02-01** ensures that Reclamation manages its cultural resources according to Federal legislative mandates and in a spirit of stewardship; clarifies Reclamation's roles and responsibilities related to cultural resources; and provides direction for consistent implementation of Reclamation's cultural resources management responsibilities.
- **Inadvertent Discovery of Human Remains on Reclamation Lands LND 07-01** establishes procedures for compliance with Federal statutes when inadvertent (i.e., unplanned) discoveries of human remains occur on Reclamation lands.
- **Inadvertent Discovery of Native American Graves Protection and Repatriation Act (NAGPRA) Cultural Items on Tribal Lands LND 10-01** establishes procedures for addressing inadvertent (i.e., unplanned) discoveries of NAGPRA cultural items on tribal lands due to Reclamation projects and activities.

Biological Resources:

Federal Laws and Statutes

- **Fish and Wildlife Coordination Act of 1934:** This Act requires consultation with USFWS and state agencies whenever the waters or channels of a body of water are modified by a department or agency of the U.S, with a view to the conservation of wildlife resources. It provides that land, water and interests may be acquired by Federal construction agencies for wildlife conservation and development.
- **Sikes Act of 1974:** This Act directs the Secretaries of Interior and Agriculture to, in cooperation with the State agencies, develop, maintain, and coordinate programs for the conservation and rehabilitation of wildlife, fish, and game. Such conservation and rehabilitation programs shall include, but are not limited to, specific habitat improvement projects and related activities and adequate protection for species considered threatened or endangered.

- **North American Waterfowl Management Plan of 1986:** This plan was signed between Canada and USA and aims to conserve migratory birds throughout the continent. Further, it sets population goals for waterfowl and provides guidance as to how these goals can be achieved.
- **Federal Endangered Species Act of 1973:** This Act provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found. It is designed to protect critically imperiled species from extinction due to "the consequences of economic growth and development untempered by adequate concern and conservation".
- **US Migratory Bird Treaty Act of 1918 and amendments:** This Act establishes a Federal prohibition, unless permitted by regulations, to "pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, ... any migratory bird . . . or any part, nest, or egg of any such bird." An amendment was passed in 1972 to include owls, hawks, and other birds of prey.
- **Bald Eagle Protection Act of 1940:** This law provides for the protection of the bald eagle and the golden eagle by prohibiting, except under certain specified conditions, the taking, possession and commerce of such birds.
- **Federal Noxious Weed Act of 1974:** This Act provides for the control and management of nonindigenous weeds that injure or have the potential to injure the interests of agriculture and commerce, wildlife resources, or the public health. Under this Act, the Secretary of Agriculture was given the authority to designate plants as noxious weeds, and inspect, seize and destroy products, and to quarantine areas, if necessary to prevent the spread of such weeds.
- **Executive Order 13112 "Invasive Species":** This EO, signed in 1999, directs Federal agencies to prevent the introduction of invasive species and provide for their control and to minimize the economic, ecological, and human health impacts that invasive species cause. To do this, the EO established the National Invasive Species Council; currently there are 13 Departments and Agencies on the Council.
- **Executive Order 13443: Facilitation of Hunting Heritage and Wildlife Conservation (72 FR 46537, 8/20/07):** The purpose of this order is to direct Federal agencies with programs and activities that have a measurable effect on public land management, outdoor recreation, and wildlife management, including the Department of the Interior and the Department of Agriculture, to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat.

Reclamation Policies and Regulations

- **Reclamation Manual Directive/ Standard LND 01-01: Implementation of the Cost-Sharing Authorities for Recreation and Fish and Wildlife Enhancement.**

- **Reclamation Manual Policy ENV P04: Reclamation Consultation under the Endangered Species Act of 1973, as amended.**
- **Reclamation Manual Policy LND P03: Wetlands Mitigation and Enhancement-** Establishes policy for Reclamation to use in determining appropriate mitigation for all actions affecting wetlands. Encourage activities protecting, preserving, and enhancing wetlands.
- **Reclamation Manual Policy LND P03: Wetlands Mitigation and Enhancement.**

Indian Trust Assets:

Federal Laws and Statutes

- **Executive Order 13751, Consultation and Coordination with Indian Tribal Governments, 63 F.R. 96.** Executive Order 13175 was issued to establish regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications. When implementing such policies, agencies shall consult with tribal officials as to the need for Federal standards and any alternatives that limits their scope or otherwise preserves the prerogatives and authority of Indian tribes.
- **Government-to-Government Relations with Native American Tribal Governments (Memorandum signed by President Clinton; April 29, 1994).** Federal Register, Vol. 59, No. 85. The Memorandum directs Federal agencies to consult, to the greatest extent practicable and to the extent permitted by law, with tribal governments prior to taking actions that affect Federally recognized tribal governments. Federal agencies must assess the impact of Federal government plans, projects, programs, and activities on tribal trust resources and assure that tribal government rights and concerns are considered during such development.

Department of Interior Directives

- **Secretarial Order No. 3175 – Departmental Responsibilities for Indian Trust Resources.** Secretarial Order 3175 requires Interior bureaus and offices to consult with the recognized tribal government with jurisdiction over the trust property that a proposal may affect.
- **Secretarial Order No. 3206 – American Indian Tribal Rights, Federal -Tribal Trust Responsibilities, and the Endangered Species Act.** This order clarifies the responsibilities of the Interior agencies with regard to the effects of ESA compliance actions affect, or may affect, Indian lands, tribal trust resources, or the exercise of American Indian tribal rights. Interior agencies will carry out their responsibilities in a manner that harmonizes the Federal trust responsibility to tribes, tribal sovereignty, and statutory missions of the departments, and that strives to ensure that Indian tribes do not bear a disproportionate burden for the conservation of listed species.
- **Secretarial Order No. 3215 – Principles for the Discharge of the Secretary’s Trust Responsibility.** This order provides guidance to the employees of the

Department of the Interior who are responsible for carrying out the Secretary's trust responsibility as it pertains to ITAs.

- **Departmental Manual 512 DM Chapter 2 – Departmental Responsibilities for Indian Trust Resources.** This chapter of the manual establishes the policies, responsibilities, and procedures for operating on a government-to-government basis with Federally recognized Indian tribes for the identification, conservation, and protection of American Indian and Alaska Native trust resources to ensure the fulfillment of the Federal Indian Trust Responsibility.

Reclamation Policies and Regulations

- **Indian Policy of the Bureau of Reclamation.** Affirms that Reclamation will comply with both the letter and the spirit of Federal laws and policies relating to Indians; acknowledge and affirm the special relationship between the United States and Federally recognized Indian Tribes; and actively seek partnerships with Indian Tribes to ensure that tribes have the opportunity to participate fully in the Reclamation program as they develop and manage their water and related resources.
- **Bureau of Reclamation Protocol Guidelines: Consulting with Indian Tribal Governments.** The document provides guidance on the protocol for conducting consultation and maintaining government to government relationships with Indian tribes.
- **Bureau of Reclamation Indian Trust Asset Policy and Guidance – 1993**
Memorandum outlining National Environmental Policy Act Handbook Procedures to Implement Indian Trust Asset Policy.

Land Management:

Land Use

Federal Laws and Statutes

- Mining Law of 1872, as amended;
- The Recreation and Public Purposes Act of 1926, as amended;
- Land and Water Conservation Fund Act of 1965, as amended;
- Federal Land Transaction Facilitation Act of 2000;
- Federal Cave Resources Protection Act of 1988, as amended;
- The Declaration of Taking Act of 1931;
- The Condemnation Act of 1888, as amended;
- The Engle Act of 1958;

- The Federal Power Act of 1920, as amended;
- The Act of May 24, 1928, as amended;
- The Carey Act of 1894, as amended;
- Unlawful Enclosures Act of 1885;
- The Act of December 22, 1928, as amended;
- Sections 2275 and 2276 of the Revised Statutes, as amended;
- 43 CFR 402: Sale of Lands in Federal Reclamation Projects;
- 43 CFR 420: Off-road vehicle use;
- 43 CFR 429: Procedure to process and recover the value of rights-of-use and administrative costs incurred in permitting such use;

Reclamation Policies and Regulations

- Reclamation Manual Directive/ Standard LND 03-01: Land Withdrawals, Withdrawal Reviews and Withdrawal Revocations;
- Reclamation Manual Directive/ Standard LND 05-01: Real Estate Appraisal;
- Reclamation Manual Directive/ Standard LND 06-01: Land Acquisition;
- Reclamation Manual Directive/ Standard LND 08-01: Land Use Authorizations;
- Reclamation Manual Directive/ Standard LND 08-02: Land Disposal;
- Reclamation Manual Directive/ Standard LND 09-01: Real Property Management Records;
- Reclamation Manual Directive/ Standard LND 09-02: Payments in Lieu of Taxes (PILT); and
- Reclamation Manual Directive/ Standard LND 011-01: Disposal of Bridges and Crossings on Reclamation Land.

Concessions

Reclamation Policies and Regulations

- Reclamation Manual Policy LND P02: Concessions Management;
- Reclamation Manual Directive/ Standard LND 04-01: Concessions Management by Reclamation; and

- Reclamation Manual Directive/ Standard LND 04-02: Concessions Management by Non-Federal Partners.

Facilities Management

Reclamation Policies and Regulations

- Reclamation Manual Policy LND P05: Environmental Management Systems-
- Reclamation Manual Policy FAC P01: Emergency Management-
- Reclamation Manual Policy ENV P01: Hazardous Waste and Materials Management-
- Reclamation Manual Directive and Standard ENV 02-03: Pollution Prevention-Hazardous and Solid Waste Minimization-
- Reclamation Manual Directive and Standard FAC 01-01: Emergency Management-

Fire Management

Federal Laws and Statutes

- Protection Act of September 20, 1922 (42 Stat. 857; USC 594);
- Reciprocal Fire Protection Act of May 27, 1955 (69 Stat. 66; 42 USC 1856, 1856a);
- Economy Act of June 30, 1932 (47 Stat. 417; 31 USC 686);
- Disaster Relief Act, Section 417 (Public Law 93-288);
- Annual Appropriations Acts for the Department of the Interior;
- The Multiple-Use Sustained-Yield Act of June 12, 1960;
- The Forest and Rangeland Renewable Resources Planning Act of August 17, 1974; and
- Healthy Forests Restoration Act, December 2003 (PL 108-148).
- United States Department of the Interior Manual (910 DM 1.3)
- 1995 Federal Wildland Fire Management Policy
- 2001 Updated Federal Wildland Fire Management Policy (1995 Federal Wildland Fire Management Policy Update)

Department of Interior Directives

- 1998 Departmental Manual 620 Chapter 1, Wildland Fire Management General Policy and Procedures

Transportation

Federal Laws and Statutes

- Federal-Aid Highway Act of 1958, 1962, 1966, 1968, and 1973, as amended;
- Highway Safety Act of 1966, as amended;
- Architectural Barriers Act of 1968, as amended; and
- Surface Transportation Act of 1978 and 1982, as amended.
- **Executive Order 11644 (37 Federal Register [FR] 2877), as amended by EO 11989 (42 FR 26959h)**, requires Federal agencies to adopt rules regulating OHV use on public lands and to adopt a designation process and designation criteria to protect land resources and promote public safety. The stated underlying authority for issuance of the orders is NEPA (42 USC 4321).

Range Management

Federal Laws and Statutes

- The Taylor Grazing Act of 1934 (43 USC 315) states “[T]he Secretary of the Interior is authorized, in his discretion, by order to establish grazing districts or additions thereto...of vacant inappropriate and unreserved lands from any part of the public domain...which in his opinion are chiefly valuable for grazing and raising forage crops[.]...” The act also provides for the classification of lands for particular uses;
- The Public Rangelands Improvement Act of 1978 (43 USC 1901) provides that the public rangelands be managed so that they become as productive as feasible in accordance with management objectives and the land use planning process established pursuant to 43 USC 1712;
- 43 CFR 4100 (Grazing Regulations); and,
- General Allotment Act of 1887, as amended.

Public Safety

Federal Laws and Statutes

- The Federal Water Pollution Control Act of 1977 (33 USC 1323) requires Federal land managers to comply with all Federal, state, and local requirements, administrative authority, process, and sanctions regarding the control and abatement of water pollution in the same manner and to the same extent as any nongovernmental entity;
- The CWA of 1972, as amended (33 USC 1251) establishes objectives to restore and maintain the chemical, physical, and biological integrity of the nation’s water;

- The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended (42 USC 9601 et seq.), also known as Superfund, is primarily intended to address risks posed to human health and welfare or the environment resulting from releases or potential releases of hazardous substances. Other key acts related to CERCLA include the following:
- Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) amends CERCLA/SARA (42 USC I 100 1) and adds sections 120 and 121 dealing with Federal facilities;
- Community Environmental Response Facilitation Act of 1992 (CERFA) amends CERCLA Section 120(h) (42 USC 9620);
- Pollution Prevention Act of 1990 (42 USC 13 101);
- Resource Conservation and Recovery Act of 1976, as amended (42 USC 6901 et seq.);
- Toxic Substances Control Act of 1976 (15 USC 2601 et seq.);
- Federal Insecticide, Fungicide, and Rodenticide Act of 1975 (7 USC 136 et seq.);
- Clean Air Act of 1970, as amended (42 USC 7401 et seq.);
- Safe Drinking Water Act of 1974, as amended (42 USC 300 et seq.);
- Transportation Safety Act of 1974; Hazardous Materials Transportation Act amendments of 1976 and 1990 (49 USC 1801 et seq.);
- Atomic Energy Act of 1954 (42 USC 200 If);
- Uranium Mill Tailings Radiation Control Act of 1978, as amended (42 USC 2014 et seq.);
- Nuclear Waste Policy Act of 1982 (42 USC 10101 et seq.); and
- Executive Order 11514, Protection and Enhancement of Environmental Quality, March 5, 1970.
- National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 300);
- Occupational Safety and Health Act of 1970, as amended;
- Lead-based Paint Poisoning Prevention Act, as amended;

Reclamation Policies and Regulations

- Reclamation Manual Policy ENV P01: Hazardous Waste and Materials Management;
- Reclamation Manual Policy ENV P02: Pest Management;
- Reclamation Manual Policy SAF P01: Occupational Safety and Health Program Policy;
- Reclamation Manual Directive/Standard ENV 01-01: Pest Management/Resource Protection (Integrated Pest Management) Program;
- Reclamation Manual Directive/Standard ENV 01-02: Public Notification of Aerial Pesticide Applications on Lands Managed Directly by Reclamation;
- Reclamation Manual Directive/Standard ENV 02-03: Pollution Prevention-Hazardous and Solid Waste Minimization;
- Reclamation Manual Directive/Standard FAC 01-01; and
- Reclamation Manual Directive/Standard FAC 01-03: Hazardous Materials.

Visitor Use and Recreation:

Federal Laws and Statutes

- **Procedure to process and recover the value of rights-of-use and administrative costs incurred in permitting such use (43 CFR 429):** The purpose of this code is to meet the requirements of the Independent Offices Appropriation Act (31 U.S.C. 483a) and Departmental Manual Part 346, Chapters 1.6 and 4.10, to set forth procedures for Reclamation to recover the value of rights-of-use interests granted to applicants, and for the collection of administrative costs associated with the issuing of rights-of-use over lands administered by Reclamation.
- **Reclamation Recreation Management Act of 1992:** An amendment to the Federal Project Recreation Act of 1965, Public Law (P.L.) 89-72, that provides up to 50 percent Federal cost sharing for the planning, construction, and operation and maintenance of recreation facilities with non-Federal public entities. It also provides 75 percent Federal cost sharing with non-Federal partners for fish and wildlife enhancement and up to 50 percent of the operation and maintenance of such facilities. Non-Federal public entities that have agreed to manage developed facilities and lands at Reclamation projects are to work with local Reclamation offices to identify proposed projects for funding. Congressional funds are appropriated annually and distributed for selected sites.
- **Public conduct on Reclamation lands and projects (43 CFR 423):** Established on April 17, 2002, this code is meant to maintain law and order and protect persons and property on Reclamation lands and at Reclamation projects. This statute at the time

of authorization honored all designated closures and special use areas on Reclamation property. At New Melones Lake, two separate Memoranda for Record and an Interim Management Plan were in force.

- **The Reclamation Act of 1902, as amended:** Set aside Federal money to irrigate lands in the West to promote farming and vested Reclamation with the authority to operate water projects.
- **Flood Control Act of December 22, 1944. Authorized construction of New Melones Dam, and was subsequently modified by the Flood Control Act of 1962 (Public Law 87-874).** The authorized purposes of the project included flood control, irrigation, power generation, general recreation, water quality, and fish and wildlife enhancement.
- **The Flood Control Act of 1962.** Describes the responsibilities of the Secretary of the Army and the Secretary of the Interior at the New Melones project. This act authorized Reclamation to allow and plan for recreational activities at the New Melones Lake Area.
- **The Federal Lands Recreation Enhancement Act of 2005 (FLREA).** Provides for a nationally consistent interagency program, additional on-the-ground improvements to visitor services at recreation sites across the nation, a new national pass for use across interagency Federal recreation sites and services, and more public involvement in the program. The new authority addresses public concerns about the previous Fee-Demo program by limiting fees to sites that have a certain level of development and meet specific criteria. The FLREA will allow New Melones management to establish a comprehensive fee collection program and to retain a portion of the fees for improvements to recreational facilities and infrastructure. Details of the proposed fee collection program will be identified in the RMP/EIS.
- **36 CFR Part 71: Recreation Fees.** Specifies the criteria under which recreation fees may be charged on Federal lands. Fees must be entrance fees, daily recreation use fees, or special use permit fees. Areas with recreational facilities provided at Federal government expense are eligible to charge use fees.
- **43 CFR Part 24: Department of the Interior Fish and Wildlife Policy: State-Federal Relationships.** Establishes policy on intergovernmental cooperation for the management, use, and preservation of fish and wildlife resources.
- **The Federal Water Project Recreation Act of 1965, as amended.** Mandates that planning for any Federal water resource project must address opportunities for recreation and fish and wildlife enhancement.
- **The Land and Water Conservation Fund Act of 1964.** Directed the Secretary of the Interior to inventory, evaluate and classify outdoor recreation facilities, and formulate and maintain a comprehensive nationwide outdoor recreation plan.

- **Public Law (PL) 106-206: Commercial Filming.** Established requirement of a permit and reasonable fee for filming on lands under the supervision of the Secretary of Interior or Secretary of Agriculture.
- **Americans with Disabilities Act of 1990.** Prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against persons with physical disabilities.
- **Reclamation Recreation Management Act of 1992.** This act is an amendment to the Federal Project Recreation Act of 1965, Public Law 89-72, that provides up to 50 percent Federal cost sharing for the planning, construction, and operation and maintenance of recreation facilities with non-Federal public entities. It also provides 75 percent Federal cost sharing with non-Federal partners for fish and wildlife enhancement and up to 50 percent of the operation and maintenance of such facilities.
- **Office of Management and Budget (OMB) Circular A-025, Revised 1993.** Establishes Federal policy regarding fees assessed for Government services and for sale or use of Government goods or resources. It provides information on the scope and types of activities subject to user charges and on the basis upon which user charges are to be set. Finally, it provides guidance for agency implementation of charges and the disposition of collections.
- **Executive Order 13443: Facilitation of Hunting Heritage and Wildlife Conservation (72 FR 46537, 8/20/07).** The purpose of this order is to direct federal agencies that have programs and activities with a measurable effect on public land management, outdoor recreation, and wildlife management, including the Department of the Interior and the Department of Agriculture, to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat.

Reclamation Policies and Regulations

- **Reclamation Manual Policy LND P04: Recreation Management-**Defines Reclamation's overall responsibilities and establishes the basic principles for planning, development, management, and protection of public recreation resources on Reclamation lands and waters.
- Bureau of Reclamation Manual Policy and Directives and Standards release numbers LND P04: Recreation Management, LND P02: Concessions Management, LND 04-01: Concessions Management by Reclamation (Directives and Standards [D&S]), LND 04-02: Concessions Management by Non-Federal Partners (D&S), and ENV P03: National Environmental Policy Act.
- *Cultural Resources.* A Memorandum of Agreement between Reclamation and the Advisory Council on Historic Preservation, dated December 22, 1980, outlined requirements for mitigating effects to cultural resources from construction of New Melones Dam and subsequent filling of the reservoir. One of the tenets of the agreement was that Reclamation would create and maintain an interpretive program.

This program was to include “trails, signs, exhibits, and pamphlets, brochures, booklets, and displays”, but has been expanded to include the visitor center located at lake headquarters as well as the current interpretive program.

Socioeconomics and Environmental Justice:

Federal Laws and Statutes

- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.** This EO requires that Federal Agencies make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.
- **Americans with Disabilities Act of 1990 [“ADA”], As Amended.** The ADA prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation.

APPENDIX B
NEW MELONES LAKE HOUSEBOAT POLICY

New Melones Lake Houseboat Plan

To:

From: Peggi Brooks
Resource Manager

Subject: New Melones Lake Houseboat Plan

1. Authority: CCAO Moored and Docked Vessel Policy
2. Purpose: To establish a plan for the placement, mooring and operation of houseboats and other vessels at New Melones Lake, in order to ensure the protection of water quality, enhancement of resource values, and provision of fair and equitable recreational use of this waterway.
3. Scope: This policy applies to all privately and commercially owned houseboats, overnight-occupancy vessels and moored/docked vessels on New Melones Lake.
4. Effective Date: TBD

Any person wishing to place, moor, dock, occupy and/or operate a houseboat, overnight occupancy vessel and/or other vessel on New Melones Lake shall comply with the following plan:

5. Definitions:
 - a. Houseboats are defined by Reclamation as vessels which have the capability of sleeping four or more people and can include galleys, toilets and showers which can produce black and gray water. All vessels must meet standards in accordance with 43 CFR 423.39.
 - b. Overnight Occupancy Vessels (OOV) and patio boats are generally shorter in length but also have galleys and/or toilets and are capable of producing black and/or gray water. They therefore are bound by the discharge of waste requirements as well.
6. Discharge of Wastes:
 - a. Unauthorized discharge of wastes including gray and/or black water from a vessel is prohibited on New Melones Lake lands or waters.
 - b. All vessels capable of discharging wastes shall be equipped with intact, fully functional and approved gray and black water holding tanks. While on the waterway,

such tanks shall only be discharged via vacuum pumping by a Reclamation-approved pump-out facility.

7. Inspection:

a. Pre-placement Inspections: Prior to being placed, moored or docked on New Melones, all vessels capable of discharging gray or black water, including houseboats, shall have on board documentation of having been inspected and certified as meeting federal, state and local requirements. In addition, all houseboats and OOV's shall be inspected and certified as being free from all invasive aquatic species. The marina concessionaire shall perform inspections and certifications. A copy of the inspection reports must be provided to the New Melones Lake Resource Office and a copy must be kept on file at the marina concession office.

b. All vessels moored, docked or operated at New Melones Lake shall be subject to inspection by Reclamation, local boating enforcement and/or U.S. Coast Guard personnel for health, safety and environmental compliance purposes at any time.

8. Mooring/Docking Permits:

a. Vessels, including houseboats and overnight-occupancy vessels, may be anchored, docked and occupied in approved locations overnight on the lake for up to 14 days in a 30 day period. Houseboat mooring and anchoring outside of the marina concession area is permitted except in restricted areas as shown on the map of Current New Melones Restricted Water Use Zones. Houseboats will not be anchored within ¼ mile of any campground, day use area, or boat launch ramp.

b. After the 14th day, all vessels shall be removed from the lake unless a mooring or docking permit has been previously obtained from the marina concessionaire legally authorized by Reclamation to provide mooring or docking services.

c. Houseboats may be occupied for a maximum of 14 days in any 30 day period, however, houseboats may be occupied overnight for a maximum of one consecutive night while moored/docked in the marina concession area.

d. The marina concessionaire is authorized a maximum of 108 houseboat mooring/docking permits at New Melones Lake. These permits include private houseboats and rental houseboats owned by the marina concessionaire.

e. Mooring/Docking permits for houseboats shall be issued for a maximum period of 15 years. Vessel must be removed from the lake by the last day of the permit term or by the last day of the marina concession contract.

f. Mooring/Docking permit will be issued only to the registered owner of the houseboat. The owner is that individual(s) or entity identified on the vessel registration at the time the permit is issued. Any change in the registered ownership of a vessel will

require the vessel to be removed from the lake and the new owner will be required to place their name on the waiting list. Privately owned houseboats may not be used commercially and the permit cannot be transferred to another. Only one houseboat permit to an owner.

9. Maintenance of Houseboats and Moored/Docked Vessels:

Major maintenance or repairs including policy compliance retrofits requiring haul-out will be accomplished off Reclamation lands or at the marina concession maintenance yard. The marina concessionaire is the only entity authorized to perform maintenance or repairs of houseboats on Reclamation lands or waters. Owners/Operators of vessels are prohibited from performing their own work on their boats on Reclamation property (including in the marina yard). Owners/Operators may not hire subcontractors or hired contractors to work on their vessels on Reclamation property. No maintenance or repairs shall be made on any houseboat while on any lake that involves the following: 1) any work or repair that involves structural alteration or modification, 2) any work or repair or any by-product of such work or repair that could result in the introduction of any materials, hazardous material, pollutant or contaminant into the waters of the lake.

10. Size Limitations:

a. The maximum size vessel allowed on New Melones Lake is fifteen (15) feet wide and sixty (60) feet long. These dimensions are all inclusive. Outdrives, motor gear, swim decks, slides, and all other parts of the vessel shall remain within these dimensions whenever the vessel is left unattended and is moored at its assigned mooring location.

b. The maximum height for vessels on New Melones Lake is ten (10) feet above the deckline for permanent structures.

11. Waiting Lists:

a. The marina concessionaire shall maintain a waiting list of applicants for houseboat moorage/docking permits.

b. The waiting list will be numbered and posted annually on the marina's website for public review. The list will be posted on the marina concessionaire's website by Jan 15 of each year and will be updated a minimum of annually by Jan 15 of each subsequent year.

c. Applicants on the waiting list may not sell, trade, gift, assign, or otherwise transfer his/her position on the waiting list to another person or entity.

12. Launch and Retrieval:

Houseboat owners must comply with New Melones' Special Event Permit program and obtain a permit prior to launching, retrieving, or transporting a houseboat on New

Melones Lake waters or lands. Houseboats may only be launched or retrieved Monday through Thursday.

a. The houseboat mover must have an approved permit in their possession when moving a houseboat on New Melones' lands or waters.

b. The houseboat mover must comply with all safety and traffic management laws as required on a state highway.

c. A written traffic or safety plan may be required prior to moving a houseboat.

d. Permitting fees will be determined for any event using the "Special Event Classification and Fees" schedule.

e. A completed application form, MP-1016, and the required certificate of insurance form must be received a minimum of 45 days prior to the requested event date. After an application is received, the Special Use Coordinator will contact the permit applicant in approximately 10 days with the fee amount and any additional permit requirements.

OPERATIONAL POLICY #1

To: Resource Managers

From: Michael Finnegan
Area Manager

Subject: Moored and Docked Vessel Policy
For Central California Area Office (CCAO) Managed Waterways

Authority:

The act of Congress approved June 17, 1902, (32 Stat. 388), the Reclamation Act of 1939, (53 Stat. 1187) including all amendments, supplements, and the Federal Water Project Recreation Act (1965) and the Reclamation Recreation Management Act of 1992.

Additional authority for the Special Recreation Policy is contained in OMB Circular A-25, the Code of Federal Regulations (43 CFR 429), and Reclamation Manual/Directives and Standards LND08-01.

Flood Control Act of 1944, Flood Control Act of 1962

43 CFR 423

The Reclamation Development Act of 1974, Public Law 93-493, October 27, 1974, Title VI, Solano Project Recreational Facilities, California.

Reclamation Manual LND P02 Concessions Management

Reclamation Manual LND 04-01 Concessions Management Directives and Standards

Purpose: To establish a policy for the placement, mooring and operation of houseboats and other vessels at CCAO Waterways, including Lake Berryessa and New Melones Lake, in order to ensure the protection of water quality, enhancement of resource values, and provision of fair and equitable recreational use of these waterways. This policy supercedes the Lake Berryessa Operational Policy No. 1 signed July 23, 1993.

Scope: This policy applies to all privately and commercially owned houseboats, overnight-occupancy vessels and moored/docked vessels on lakes and waterways within the areas managed by the Central California Area Office.

Effective Date: TBD

Policy: Any person wishing to place, moor, dock, occupy and/or operate a houseboat, overnight occupancy vessel and/or other vessel on CCAO waterways shall comply with all Federal, state and local laws, Reclamation policy and the following provisions:

Definitions: Houseboats are defined by Reclamation as vessels which have the capability of sleeping four or more people and include galleys, toilets and showers which can produce black and gray water. All vessels must meet standards in accordance with 43 CFR 423.39. Size limits will be specific to each lake.

Overnight Occupancy Vessels (OOV) and patio boats are generally shorter in length but also have galleys and/or toilets and are capable of producing black and/or gray water. They therefore are bound by the discharge of waste requirements as well.

A. Discharge of Wastes

1. Unauthorized discharge of wastes including gray and/or black water from a vessel is prohibited on CCAO waterways.
2. All vessels capable of discharging wastes shall be equipped with intact, fully functional and approved gray and black water holding tanks. While on the waterway, such tanks shall only be discharged via vacuum pumping by a Reclamation-approved pump-out facility.

B. Inspection

1. Pre-placement Survey: Prior to being placed, moored or docked on any CCAO waterway, all vessels capable of discharging gray or ~~sewer~~ black water, including houseboats, shall have on board documentation of having been inspected and certified as meeting federal, state and local requirements. A Reclamation-approved, professional Marine Surveyor shall perform inspection and certification. A copy of the survey must be provided to the managing Reclamation field office and a copy must be kept on file at the marina concession office.
2. All permitted houseboats and OOVs will be inspected annually with a Reclamation approved form by the concessionaire to be kept on file and a copy sent to the Reclamation field office.
3. All vessels moored, docked or operated at CCAO waterways shall be subject to inspection by Reclamation, local boating enforcement and/or U.S. Coast Guard personnel for health, ~~and~~ safety, and environmental compliance purposes at any time.

C. Mooring/Docking Permits

1. Vessels, including houseboats and overnight-occupancy vessels, may

be anchored, docked and occupied in approved locations overnight on the waterway for up to 14 days in a 30 day period.

2. After the 14th day, all vessels shall be removed from the waterway unless a mooring or docking permit has been previously obtained from a concessionaire legally authorized by Reclamation to provide mooring or docking services.
3. Mooring/Docking permits for houseboats shall be issued for a period of up to 15 years. Vessel must be removed from the lake by the last day of the permit term.
4. Numbers of permits, criteria for vessels, waiting lists, and/or any limitations will be in accordance with a "Houseboat and Moored Vessel Plan" established for the waterway at which the vessel will be moored/docked. Privately owned houseboats may not be used commercially and the permit cannot be transferred to another. Only one houseboat permit to an owner.

D. Maintenance of Houseboats and Moored/Docked Vessels

Major maintenance or repairs including policy compliance retrofits requiring haul-out will be accomplished off Reclamation lands or at Reclamation-approved repair or maintenance facilities located within established concession areas. No maintenance or repairs shall be made on any houseboat while on any lake that involves the following: 1) any work or repair that involves structural alteration or modification, 2) any work or repair or any by-product of such work or repair that could result in the introduction of any materials, hazardous material, pollutant or contaminant into the waters of the lake.

E. Launch and Retrieval

Because of their large size, houseboat haul-outs and launches may require temporary exclusive and/or extraordinary facility access or use, and as such are considered to fall under the requirements of Reclamation's Special Use Policy. Houseboat owners must obtain all necessary permits, including a permit from Reclamation, prior to launching, retrieving or transporting a houseboat on Reclamation property.

F. Costs and Fees

Costs or fees associated with required inspections, surveys, launches or haul-out shall be considered part of the mooring/docking permitting processes and shall be born in whole by the vessel owner.

G. Compliance

1. Houseboats and other vessels not in compliance with this policy shall be given 14 days to remove the vessel from CCAO waterways. In the event the vessel poses an immediate health, safety or environmental threat, the vessel shall be removed from Reclamation waterways immediately by any feasible means. Houseboats and vessels, which are not removed within these time restraints, may be impounded and removed by Reclamation or its agent at the owner's expense.
2. Unattended or abandoned houseboats or OOV's will be removed in accordance with 43 CFR 423.23.

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APPENDIX C
NEW MELONES LAKE AREA 2007 WATER
RECREATION OPPORTUNITY SPECTRUM ANALYSIS

Water Recreation Opportunity Spectrum (WROS)

From the Water Recreation Opportunity Spectrum Users' Guidebook (July 2004)

Urban

Setting

An urban WROS area may be found in extensively developed and populated cities and metropolitan spaces where virtually the entire landscape contains human-built structures. Municipal, industrial, commercial, and residential land uses dominate, and the sights, sounds, and smells are typical of a city environment. Natural features may be found in small neighborhood parks, commercial courtyards, streetscapes, riverways, residential gardens, or landscaping. The water resources tend to be highly channelized, manipulated, or altered to contain large fluctuations in water flow and for the protection of public safety and property. There is a great deal of management presence (e.g., personnel, rules, facilities, signs, services, conveniences, and security). Recreation use is very extensive, there is a great deal of diversity, socialization, and concentration, and there is a sense of security and conveniences. The sights, sounds, and smells of recreation and non-recreation use (e.g., municipal, industrial, commercial) are dominant in an urban setting. Examples of an urban WROS class may include the San Antonio Riverwalk, Denver's South Platte River, the Potomac River in the District of Columbia, Tampa Bay, Baltimore Harbor, San Francisco Bay, the Chicago waterfront on Lake Michigan, and the Colorado River as it flows past Laughlin, Nevada.

Recreation Experience

Area provides very limited opportunities to see, hear, or smell the natural resources (e.g., forests, wildlife, aesthetics) because of the extensive level of development, human activity, and natural resource modification; watching and meeting other visitors is expected and desired; large group activities such as guided fishing, tour boat sightseeing, and beach sports are popular; opportunity to briefly relieve stress and to alter everyday routines is important; socializing with family and friends is important; large groups and families are common; a high sense of safety, security, comfort, and convenience is central and dominant; the mix of recreation activities may be diverse, ranging from those of relaxation and contemplation (e.g., sunbathing, reading, nature walking) to those of physical exertion, thrills, excitement, and challenge (e.g., para sailing, jet boating, water skiing); area often attractive to short time visitors, large affinity groups, tours, school groups; area may serve as a transportation corridor for transient visitors or as a staging area for others traveling to nonurban settings; area is popular with local urban residents as well as nonresident first-time tourists.

Suburban

Setting

A suburban WROS area is on the fringe of the urban area. The sights, sounds, and smells of development and built structures are widespread. The built environment tends to be commercial and residential. The sights, sounds, and smells of commerce and everyday living are very obvious and prevalent, while naturally appearing settings may be found in community parks, greenways, trails, open space, natural areas, wetlands, estuaries, and tidal marshes. The water resources tend to be highly channelized, manipulated, or altered to contain large fluctuations in water flow and for the protection of public safety and property. Recreation management is very prevalent (e.g., personnel, rules, facilities, signs, services, conveniences, security). Recreation use, diversity, socialization, concentration, sense of security, and conveniences are very prevalent and obvious. The sights, sounds, and smells of recreation and non-recreation use (e.g., municipal, industrial, residential) are obvious but not dominant in a suburban setting. Examples of suburban WROS areas can be found on the outer edges of most metropolitan areas in the United States.

Recreation Experience

Area provides little opportunity to see, hear, or smell the natural resources (e.g., forests, wildlife, aesthetics) because of the widespread and very prevalent level of development, human activity, and natural resource modification; watching and meeting other visitors is expected and desired; opportunity to briefly relieve stress and to alter everyday routines is important; socializing with family and friends is important; large groups and families are common; a high sense of safety, security, comfort, and convenience is central and dominant; the mix of recreation activities may be diverse, ranging from relaxation and contemplation (e.g., sunbathing, reading, and nature walking) to physical exertion, thrills, excitement, and challenge (e.g., parasailing, jet boating, and water skiing); learning about natural or cultural history, ecology, and reservoir and river operations are important to some; area is popular with local suburban residents.

Rural Developed

Setting

A rural developed WROS area is beyond a metropolitan area and the suburban ring of development. Rural developed areas may serve as “bedroom” communities for urban areas and may contain working farms and ranches, and towns and primary road networks are common. Development will be prevalent and common, yet the setting has a pastoral sense because of an interspersing of forests, water resources, hills, valleys, canyons, wetlands, open spaces, and agricultural land uses. Natural appearing shoreline edges are common, although various water controls or other structures are also common. Recreation management is prevalent and common but not as extensive as in an urban setting (e.g., personnel, rules, facilities, signs, services, conveniences, security). Recreation use, diversity, socialization, concentration, sense of security, and conveniences are common but less so than in a developed suburban or urban setting. The sights, sounds, and of tranquility and escape from everyday challenges may be experienced by the urbanized visitor. Examples of rural developed areas may include areas with country estates, second homes and cabins, dams, power stations, primary and secondary roads, communication lines, resorts, marinas, small communities, full-service campgrounds, county and State parks, farms, ranches, and small commercial and industrial establishments.

Recreation Experience

Area provides occasional or periodic opportunities to see, hear, or smell the natural resources (e.g., forests, wildlife, aesthetics) because development, human activity, and natural resource modification are common and frequently encountered: area is less developed and more tranquil than a suburban setting; opportunity to experience brief periods of solitude and change from everyday sights and sounds is important; socialization within and outside one's group is typical, and the presence of other visitors is expected; opportunity to relieve stress and to alter everyday routines is important; a moderate level of comfort and convenience is important; a sense of safety and security is important; the array of recreation activities may be diverse, ranging from relaxation and contemplation (e.g., sunbathing, sailboating, shoreline fishing) to physical exertion and challenge (e.g., competing in shoreline and water sports, tournament fishing, ice fishing, water skiing, and kayaking); area is typically attractive for day-use and weekend visitors from local metropolitan areas or nearby communities, short-term campers, recreation vehicle users, large groups, and adventure tourists within a day's drive.

Rural Natural

Setting

A rural natural WROS area is a considerable distance from metropolitan areas and communities. Natural features are predominant on the landscape, and the presence of development is occasional or infrequent. Agriculture, tourism, and outdoor recreation are often primary industries. Rural natural areas are often large enclaves of public lands and waters. Natural resources dominate the landscape. The sights, sounds, and smells of development are infrequent. The water resources are bordered by natural appearing settings. Water controls or other structures are occasional along the shoreline. Management is occasionally noticeable in the form of patrols, facilities, signage, conveniences, and full services. Visitors desire a sense of tranquility and escape from their daily routine. Opportunity for visitors to see, hear, and smell nature is prevalent and common, as are occasions to enjoy periods of solitude. Recreation use, diversity, socialization, concentration, sense of security, and conveniences are periodic and occasional. Examples of a rural natural area might include unincorporated rural areas with occasional secondary and unpaved roads, small cabins, single residences, farms and ranches, rustic campgrounds, rural county and State parks, power lines, small stores and fuel services, and areas often bordering or surrounded by large expanses of public lands and waters.

Recreation Experience

Area provides frequent opportunities to see, hear, or smell the natural resources (e.g., forests, wildlife, and aesthetics) because development, human activity, and natural resource modifications may be occasional and infrequent; noticeably more natural, less developed, and more tranquil than an urban setting; socialization with others outside one's group is not very important, although the presence of others is expected and tolerated; opportunity to relieve stress and to get away from built environment is important; a high sense of safety, security, comfort, and convenience is not important or expected; a sense of independence and freedom with a moderate level of management presence is important; moments of solitude, tranquility, and nature appreciation are important; experiences tend to be more resource dependent, although they may be diverse, including relaxation and contemplation (e.g., camping, sunbathing, canoeing, sailing,

and boat fishing), socialization, physical exertion, and challenge (e.g., competitive tournament fishing, kayaking, waterskiing, hunting, and belly boat fishing); area is typically attractive to extended weekend and longer-term visitors desiring to experience the outdoors and to be away from large numbers of other people; popular with overnight visitors using recreation vehicles, tents, and rustic cabins.

Semi Primitive

Setting

A semi primitive WROS area is a large expanse of natural resources that is far from any city or metropolitan area and a considerable distance from small communities, subdivisions, or developments. Natural resources dominate the landscape. Development is minor and the sights and sounds of human activity are few, but may include such evidence of human activity as distant farming operations, power lines, livestock, small buildings, old roadways, historic structures, and historic logging or mining. These water resources are often within large expanses of public lands and waters. Management, in the form of patrols, facilities, and signage, is seldom noticeable and the visitors are expected to have the equipment and skills to be able to navigate and enjoy this setting. Visitors desire a sense of tranquility and escape from their daily routine. Facilities are rustic and blend well into the setting. Resource protection is very important. Opportunity for visitors to see, hear, and smell nature is wide spread. Visitors sense solitude and remoteness. Examples of semi primitive settings are large expanses of State and Federal lands and waters that are commonly designated as a wild and scenic river, wilderness, backcountry lake, headwater, marine reserve, roadless area, or other type of State, Federal, or international protected area.

Recreation Experience

Area provides widespread and very prevalent opportunities to see, hear, or smell the natural resources (e.g., forests, wildlife, and aesthetics) because development, human activity, and natural resource modifications are seldom encountered; opportunity to experience a natural ecosystem with little human imprint is important; a sense of challenge, adventure, risk, and self-reliance is important; solitude and lack of contact with other visitors, managers, and management is important on the water and at destination sites; the recreation experiences tend to be more resource-based; a sense of independence, freedom, tranquility, relaxation, nature appreciation and wonderment, testing skills, and stewardship is typical; opportunity often requires more trip planning and preparation, travel distance of one or more days, physical effort, and duration; area provides opportunities for the more adventure-based enthusiasts (e.g., fly and float fishing, hunting, backcountry camping, canoeing, rafting, and nature viewing). Overnight visits are typically with tents in settings with few conveniences and facilities. Extended stays may be accommodated. Adventure recreationists and ecotourists are attracted to this setting. Inexperienced recreationists or visitors new to the area may be uncomfortable with the remoteness and the need to be self-reliant.

Primitive

Setting

A primitive WROS area is a very large expanse of natural resources very far from development and settlement. Any sights, sounds, or smells of human activity are rare and very minor. The

water resources and shorelines appear natural and show very little, if any, evidence of past human use such as historic homesteads and roadways. Management relies on visitor cooperation and stewardship, and activities often focus on resource protection, restoration, and monitoring. A sense of remoteness, wildness, solitude, and self-reliance is dominant among visitors. Visitor comforts, conveniences, and concentrations are not appropriate. Examples of primitive settings are large expanses of Federal lands and waters that are miles from development and settlement. The settings are commonly designated as a wild and scenic river, wilderness, backcountry lake, headwater, marine reserve, roadless area, or other type of Federal or international protected area.

Recreation Experience

Area provides a great deal of opportunities to see, hear, or smell the natural resources (e.g., forests, wildlife, and aesthetics) because development, human activity, and natural resource modifications are rare; opportunity to experience natural ecosystems with very little and no apparent human imprint is paramount; natural views, sounds, and smells dominate; a sense of solitude, peacefulness, tranquility, challenge, adventure, risk, and self-reliance is important; solitude and the lack of the sight, sound, and smells of others is very important; a sense of freedom, tranquility, humility, relaxation, nature appreciation and wonderment, and stewardship is central and dominant; area provides opportunities for human powered activities such as canoeing, kayaking, fly fishing, hunting, floating, and backpacking; the high speed and noise of motorized conveyances is typically inappropriate for this area; visitation often requires considerable trip planning and preparation, travel distance, physical exertion, and duration; overnight visitors use tents in settings with no conveniences and facilities; adventure travelers and ecotourists from distant locations are often attracted to the undisturbed wildland setting.

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APPENDIX D
NEW MELONES LAKE AREA CAMPING POLICIES

New Melones Lake Policies

April 11, 2006

The following policies have been developed for common activities to ensure a safe and enjoyable experience for all visitors and to protect the resources of New Melones Lake. These policies, developed pursuant to 43 CFR Part 423, are in addition to all applicable local, state and federal laws and regulations. Additional policies may be in effect for other activities. Please contact the Park Ranger on duty for information or to report any violations. Or call the New Melones Lake Office at (209) 536-9094 (Mon. -Fri. 8: 00am to 4: 00 pm). For emergency assistance dial 911. Your cooperation and consideration is appreciated.

Section 1. Camping

- 1.1 Maximum of 2 motor vehicles and a maximum of 8 persons per standard campsite. 2 motorcycles will be the equivalent of 1 car.
- 1.2 Maximum of 1 vehicle and 4 persons at all walk-in sites.
- 1.3 Camping is permitted only in designated areas. Camping is limited to 14 days in any period of 30 consecutive days.
- 1.4 Campsites purchased on a first come, first served basis must be occupied overnight.
- 1.5 Campsites with posted and/or confirmed reservations may not be occupied except by the reserving party.
- 1.6 Reservable campsites, not currently reserved, may be purchased on a first come first served basis for a maximum of two nights. Campers wishing to stay in a non-occupied reservable campsite should pay for the first two nights using the self-deposit fee box and should also immediately make a reservation for the extra nights.
- 1.7 Campers are responsible for depositing fees in designated self-deposit vaults within 30 minutes of arrival. Park Staff are not authorized to accept payment of fees.

Section 2. Noise Levels

- 2.1 Quiet shall be maintained in all public use areas between the hours of 10:00 pm and 8:00 am. Excessive noise during such times which unreasonably disturbs persons is prohibited.
- 2.2 Audio devices or other noise producing devices should be used at a volume that does not disturb others. Applies during all hours in campgrounds, day use areas, and vessels.

Section 3. Disorderly Conduct

- 3.1 Any act or conduct by any person which interferes with, impedes or disrupts the use of the project or impairs the safety of another person is prohibited. Individuals who are boisterous, rowdy, disorderly or otherwise disturb the peace on project lands or water may be requested to leave the project.

Section 4. Fires

- 4.1 Fires must be confined to designated fire rings and BBQ grills in the campground or day use area.
- 4.2 Personal BBQ grills are only permitted in designated campgrounds and picnic areas within an area

cleared of vegetation, or on a vessel or houseboat. Personal BBQ grills are not permitted in the launch ramp parking lots or on the shoreline. Personal BBQ grills are not allowed on wood tables or other flammable facilities. Ashes/charcoal from personal BBQ's will be transported off of project lands. Ashes/charcoal will not be placed in project refuse containers or dumped on project lands or into project waters.

4.3 No open flame devices are permitted, e.g. Tiki torches.

Section 5. Vehicles

5.1 Maximum speed limit is 15 mph in campground and day use areas or as posted.

5.2 Vehicle traffic is restricted to designated paved and gravel roads. Vehicles may not be operated off road.

5.3 Vehicle parking is permitted in designated areas only. Vehicles may not be parked off road.

5.4 Vehicles and loaded boat trailers must be parked on pavement/parking spur without impeding traffic in the roadway. Empty boat trailers, small pop-up tent trailers, and small utility trailers must also be parked on the pavement. Exceptions include compacted gravel road base adjacent to parking spur.

5.5 A motor home/RV towing a vehicle will be considered 1 vehicle.

5.6 Towing a trailered vessel containing a passenger is not permitted per State law.

Section 6. Pets

6.1 Pets must be on a leash under 6 feet in length or otherwise physically restrained at all times.

6.2 Pets may not be left unattended. Noisy pets will not be permitted.

6.3 No pets are permitted in the swim beach area, Angel's Cove.

6.4 Persons bringing or allowing pets in designated public use areas shall be responsible for proper removal and disposal, in sanitary facilities, of any waste produced by these animals.

Section 7. Recreational Devices

7.1 Skateboards, roller skates/blades or scooters are not permitted.

7.2 Dirt bikes, ATV's or other off-road vehicles are not permitted.

7.3 Dual purpose motorcycles are not permitted on the road unless vehicle and operator are licensed for the road and used for transportation only.

7.4 Bicycles are allowed on designated roadways, fire roads and trails in accordance with posted restrictions and state and local laws.

7.5 Bicycles must yield to pedestrians and equestrian riders.

Section 8. Wood Gathering

8.1 Wood gathering is restricted to dead and down trees, for use while camping. Wood gathered at New Melones may not be removed from the Project for any purpose.

8.2 Chain saws are prohibited at New Melones Lake.

Section 9. Projectile Firing Devices

9.1 Loaded firearms, bows, air rifles, and all projectile firing devices are not permitted in the developed recreation areas and other "no hunting areas" designated in section 10.1.

9.2 All firearms, bows, air rifles, etc. being transported must be secured in vehicles in accordance with local, state and federal law.

Section 10. Hunting and Fishing

10.1 Hunting is not permitted in developed recreation areas, security areas, or specially designated "no hunting" areas. "No hunting" areas include Glory Hole Recreation Area, Tuttletown Recreation Area, New Melones Administration and Mark Twain area, Dam and Powerhouse area, Spillway.

10.2 No fishing is allowed downstream of New Melones Dam between the dam and the downstream buoy line.

Section 11. Launch Ramps

11.1 Courtesy docks are restricted to boating traffic only. Vessels may be moored to the courtesy docks for a maximum of 10 minutes.

11.2 No fishing or swimming within 100 feet of the launch ramps or public docks.

Section 12. Houseboats

12.1 Houseboats are not permitted to use the public courtesy docks at the boat ramps. Houseboats are permitted to use the Marina docks only.

12.2 No houseboat maintenance/repairs will be allowed on Reclamation lands or waters. Maintenance and repairs include body or engine repair, interior and exterior renovation, painting, welding, or any work that includes or produces hazardous materials, hazardous energy, or poses a safety or health risk to the public.

12.3 Houseboat owners must obtain all necessary permits, including a permit from Reclamation, prior to launching, retrieving or transporting a houseboat on Reclamation property.

12.4 Houseboats with or without an authorized mooring space at the marina may be occupied overnight on the lake for a maximum of 14 days, except within 1/4 mile of any campground or other prohibited area. Overnight occupation of houseboats at the marina must be in accordance with the marina concession agreement and houseboat mooring permit.

12.5 Houseboats without an authorized mooring space at the marina must be removed from the lake and from the New Melones Project after 14 days.

Section 13. Salvaging from refuse containers

13.1 Salvaging items or materials from refuse containers is not permitted.

13.2 Authorized recycling programs are permitted.

Section 14. Gold Panning and Dredging

14.1 Commercial gold panning and dredging (including commercial tours) is not permitted. Recreational by-hand gold panning by individuals is permitted except in closed areas, provided that the activity does not create or accelerate turbidity, bank erosion, or damage natural or cultural resources. Recreational dredging is permitted, except in closed areas, with a valid dredge permit from the Department of Fish and Game. Dredging must be in streams above the current pool level of New Melones Lake and must use a dredge nozzle no greater than 6" in diameter. All panning or dredging must be done within the water of an active stream/river. Digging in the banks or nearby areas is not allowed.

Section 15. Lost and Found

15.1 Items found on project lands or waters shall be brought to the Park Administration Office and processed according to lost and found procedures.

Section 16. Aircraft

16.1 Parasailing, paragliding, and hang gliding are not permitted.

16.2 The airstrip located on the north side of the California Department of Forestry's Baseline Conservation Camp is designated as a Special Use Area for flying radiocontrolled model aircraft. Model aircraft may only be operated in this location and only in accordance with rules established as a part of the license to use this area.

Section 17. Equestrian Use

17.1 Equestrians are only permitted in the Peoria Wildlife Management Area, Chaparral Basin, French Flat and Bear Creek areas. Equestrian use is not permitted in the developed recreation areas.

17.2 Overnight use of the Peoria Wildlife Management Area equestrian staging area is allowed by permit only.

Section 18. RV Dump Stations

18.1 Only registered campers may use the RV Dump Stations.

18.2 Users must follow instructions and restrictions posted at the dump station.

Section 19. Day Use Areas

19.1 Reservations for reservable group picnic sites can be made through the National Recreation Reservation Service.

19.2 Group picnic sites with posted and/or confirmed reservations may not be occupied except by the reserving party.

19.3 Day use areas are closed at sunset.

Section 20. Smoking

20.1 Smoking or use of tobacco products is not permitted within 25 feet of any playground, amphitheater, restroom, or public building.

20.2 Improper disposal of tobacco products is prohibited.

Section 21. Fireworks

21.1 Fireworks are not permitted.

New Melones Lake Camping and Boating Policies

*The following policies have been developed for common activities to ensure an enjoyable experience for all visitors and to protect the resources of New Melones Lake. Your cooperation and consideration is appreciated. Additional policies may be in effect for other activities. Please contact the Park Ranger on duty to report any violations or call the **New Melones Lake Office at: (209) 530-9094** (Mon-Fri, 8: 00 AM-4:30 PM).*

Policies developed pursuant to 43 CFR, Part 423.

Camping Fees:

Standard Sites:

\$16.00 per night

Golden Age/Access: \$8.00 per night

Walk-In sites:

\$12.00 per night

Golden Age/Access: \$6.00 per night

All sites are available when not reserved. Please follow camping instructions

Check-In Time: 2:00 PM

Check-Out Time: 12:00 Noon

- Standard sites are limited to 2 vehicles and 8 people per campsite.
- Walk-in sites are limited to 1 vehicle and 4 persons per campsite.
- Camping is limited to 14 days within a 30-day period.
- Payment of camping fees is required within 30 minutes of arrival.
- Recreation Areas are closed at night for your safety and security. Closure hours are posted and change seasonally. Vehicle entry after gates close is prohibited. Vehicles may exit at any time.
- Respect other campers: quiet hours are between 10:00pm and 8:00am, no generators, music or loud noise during this time. Excessive noise at any time is prohibited.
- You are responsible for the cleanliness of your campsite at all times.
- Campfires are prohibited except in authorized campground fire rings.
- Vehicles and trailers are limited to paved roads and designated parking areas only.
- The maximum speed limit is 10 mph in campground and day use areas.
- All pets must be on a maximum 6' leash and attended at all times.
- We ask that you leave your skateboards, roller skates/blades and scooters at home.

- Dead and down wood gathering by campers is permitted for campfires. Chainsaws are prohibited.
- Loaded firearms, explosives and fireworks are not permitted within the recreation area.
- For safety purposes, the docks and boat ramps are restricted to boating traffic only. Fishing and swimming off the docks and boat ramps is not permitted.
- California Vehicle Code and California State Boating Law prohibit riding in a trailered vessel on roadways.
- Camping is permitted in designated campgrounds only. No shoreline camping.
- Overnight occupancy of anchored vessels is limited to 14 nights in a 30-day period.
- For your safety all Federal, State and County laws and regulations are strictly enforced.

APPENDIX E
CAVE CHARACTERISTICS

Table E-1: Summary of Characteristics of Caves Identified within the Management Area

Cave Identification #	Elevation	Description	Safety Issues/Existing Damage
Stanislaus River Canyon Study Area			
Cave 001	338±2 m (1,110±6 ft)	Round 50cm diameter entrance on a cliff face. The cave is a solution tube 4m long	None
Cave 003	236m (970 ft)	Entrance (2.5m X 4m), entrance room(2m x 2m), small crawlway at back of room (2m)	None
Cave 005	280±6m (920±20ft) *	Consists of four prominent entrances at the base of a cliff. All lead 2m to 5m into the cliff face to a series of narrow passageways too small for human access	No hazards. Graffiti is present at one location, broken formations in restricted passageway from attempted human penetration
Cave 007	365±10m (1,200±30ft)	The 3m high and 8m wide entrance extends into the cave for 3m	Stalactites have been broken and "FI" has been scratched into the wall
Cave 008	549m (1,800 ft)	A large crack emitting a large volume of air, a restriction 5 ft below the entrance make s access impossible	Many formations in the entrance room are broken
Cave 012	1,080 ft *	Entrance is 1m in height and 50cm in length. This passage widens to a room 4m long and 2m wide.	None
Cave 013	920 ft *	Entrance 1m in height and 2m in width and leads down a 30° slope for 3m to a room 5m long, 1.5m wide, and 2m high	Trash has been dumped into the cave through restricted fissures.
Cave 014	951±10 ft *	Entrance is 1.5m in height and 15 m in width extend 2m into a cliff face. Two small passages continue for 2m but are too small for human access.	None
Cave 019	910 ft *	The caves are a series of large fissures that have been exposed to mining	None
Cave 020	955±20 ft *	A 1m by 0.3m entrance leads 3m to a horizontal fissure that is 4m long	None
Cave 021	1,400±10 ft	Located high above the Stanislaus river in the cliff face. The impressive entrance is 14m high, 4m width, and 3m deep.	None
Cave 024	920±9 ft *	A 5m high and 6m long entrance lead into two small rooms.	None

Table E-1: Summary of Characteristics of Caves Identified within the Management Area
(continued)

Cave Identification #	Elevation	Description	Safety Issues/Existing Damage
Cave 025	1,005±5 ft *	A 2m x 2 m entrance leads to an entrance chamber with breakdown blocks and a massive flowstone slope leading to a 5m long chamber.	Graffiti is present at several places and about half of the stalactites have been broken.
Cave 031	1,450±10 ft	A 1m wide and 1.5m tall entrance at the base of a steep cliff leads up into a tight chimney for 7m and pinches out	None
Cave 032	905±6 ft *	The 1.5m by 1m entrance is followed by a 6m cave which slopes back up to a second smaller entrance at ground level	Graffiti and trash are present
Cave 033	906±5 ft *	The pit has a 2m by 3m entrance and is 4m deep. It appears to be a mined fissure	None
Cave 036	1,180±60 ft	The cave is located at the top of a talus cone, a room 1m high and 3m into the side of the gulch was found	None
Cave 038	1,040±30 ft *	The entrance is located in breakdown at the base of a cliff. A room 10m long and 5m wide extends into the mountainside. Maximum height is 1m	None
Cave 039	955 ft *	Described by Squire (1975) as “a classic cave entrance 1½ ft by 2 ft leading downward on a slope for about 3 ft to a solution cavity filled with water”	None
Cave 044	910±6ft *	An “L” shaped passage way close to the waters edge. Total passage length about 4.5m.	None
Cave 046	968±10 ft *	The entrance is 3m wide and 1m wide and ends with a flowstone plug	None
Cave 047	1,000±10 ft *	The cave is reached by a well developed trail and is a classic solution passage with flat ceiling and rounded sides. The passage is a “V” shape and has two entrances	None
Cave 048	1,049 ft *	A small single room cave with a 4m by 4m entrance	Many names have been carved into the wall, the earliest being from 1912
Cave 054	1,008±5 ft *	Two small, gated, entrances lead to a chamber 15m long and 6m wide. A short passage at the end of the	Moving from one level of the cave to another involves climbing over

Table E-1: Summary of Characteristics of Caves Identified within the Management Area
(continued)

Cave Identification #	Elevation	Description	Safety Issues/Existing Damage
		first chamber leads to another chamber 25m long and 4m wide. Each of the primary chambers has side passages leading to smaller rooms on either side.	dangerously exposed routes. Large loose rocks pose a threat. Becoming lost. Throughout the cave there are broken formations, litter , and inscriptions on the walls
Cave 055	1,085±40 ft *	A narrow entrance leads to a room 1m wide and 2m long	None
Cave 056	943±10 ft *	An entrance with a low ceiling in the side of the cliff leads to an 8m passage that terminates at the back of the cliff	None
Cave 059	930±3 ft *	Entrance is 1m high by 2m wide in the side of a small cliff. The passage continues for 6m where hole in the ceiling leads up another 4m	Broken formations
Cave 061	940 ft *	A small 1m by 0.5m entrance at the base of a cliff leads down a 4m passage to a small room	None
Cave 063	1,200±80 ft	The entrance is on a steep hillside overlooking the river and is 1.5m wide and 3m high. The entrance leads to a 4m x 4m x4m room.	None
Cave 067	978±15 ft *	The entrance is 1.5m by 2m wide and is located at above a talus field at the base of a cliff. The cave is 7m long with a 15cm calcite band running the length of the cave	None
Cave 068	980±10 ft *	A narrow entrance leads to a 5m by 6m room. A tight squeeze leads to another room that is 8m by 12 m.	None
Cave 069	955±10 ft *	A narrow entrance near the base of a cliff leads down a small passage for 11m to its end.	A 1946 signature is written on the wall.
Cave 070	980 ft *	Has three small entrances at the base of a cliff that lead to a small room.	None
Cave 071	1,015±10 ft *	The 1m high and 3m wide entrance. A small crawlway leads 8m before coming to an end.	Broken formations
Cave 074	920±10 ft *	Located on shear cliff face. Entrance 1.5m by 4m wide leading to a solution pocket.	None

Table E-1: Summary of Characteristics of Caves Identified within the Management Area
(continued)

Cave Identification #	Elevation	Description	Safety Issues/Existing Damage
Cave 076	1,110±20 ft	A huge slab of limestone slid down from the bedrock forming a cavity that was enlarged by solution.	None
Cave 077	1,150±40 ft	A small entrance leads to a small room 1.5m by 1m which joins a sloping 5m pit leading to a 5m by 5m room. A small passage from here connects with another small room.	The cave is very evident and the 5m pit might pose danger to visitors.
Cave 078	1,480 ft	Squire (1972) describes the cave as “an opening leading to a room 20 ft x 20 ft having a passage leading to an unexplored area”.	None
Cave 080	1,550±3 ft	A 2m x 2m entrance leads down a 2m crawlway leading to a small room.	
Cave 082	1,020±20 ft *	Entrance 1.5m by 1.5m. Above a steeply sloping bedding plane. A small shelter.	None
Cave 083	906 ft *	Entrance is 3m by 1.5 m and leads to a triangular shaped passage for 5.5m. A side passage measures 4.5m.	None
Cave 084	1,000 ft *	Described by Squire (1975) as “a small drainage cavity about 10 ft in length with a 1 ft by 2 ft entrance”.	None
Cave 086	1,000±3 ft *	The cave is formed from large boulders in the bed of an intermittent stream.	None
Cave 087	1,090±20 ft	A large 3m by 3m entrance leads to a small fissure 1m in width, 1.5 meters in height and 3m in length.	None
Coyote Creek Study Area			
Cave 010	1,520± ft	Entrance (1m wide by 1.5m long) slopes downward for 12m to a 5.5m pit. A passage leads from the pit to another 10m pit and ends a lower cave. The lower cave is a maze of steep fissures reaching a depth of 34 m.	The vertical nature and loose rock make this cave dangerous even for experienced cavers. Evidence of excavation or looting is present in the lower cave.
Cave 015	1,560±40 ft	Small 0.4m by 0.8m entrance leads to a drop of 4m turning into a room 3.5m long and 2m wide.	None

Table E-1: Summary of Characteristics of Caves Identified within the Management Area
(continued)

Cave Identification #	Elevation	Description	Safety Issues/Existing Damage
Cave 016	1,560±20 ft	The entrance is 1.75 m by .75m on the edge of a large karst outcrop. It begins with a corkscrew drop of 14m, then straight drop of 20m to the floor where a 5.5m by 2m room is found.	Cave drops vertically 34m from entrance. Litter near the entrance, names scratched on walls.
Cave 017	1,560±40 ft	A 0.4m diameter solution tube leads downward to an enlarged joint system. A 1m by 2m room is 5m below the entrance.	None
Cave 026	1,500 ft	Not found, though Squire (1972) described a small cave on the Mitchell property.	None
Cave 029	1,560±40 ft	The 0.5 m entrance leads to a narrow fissure with a dirt floor.	None
Cave 030	1,980±20 ft	A small fissure leads into a slanting drop for 10m. A room 3m long continues into a small passage and terminates.	None
Cave 042	1,500 ft	The cave is described by Squire (1972) as a small cave located near the "rock pile".	None
Cave 049	1,500 ft	The cave has been described by Squire (1972) as "a small cave within the rock pile".	None
Cave 050	1,560±20 ft	A long narrow fissure measuring 7m in length leads from the entrance into a 3m wide and 7m long room. Another restricted passage leads another 7m down where the cave dead ends.	Very narrow entrance in which a person could get stuck
Cave 051	1,390±20 ft	A horizontal entrance sloping down 8m to a 9m drop through a fissure. The fissure opens into an 8m by 4m chamber.	The vertical fissure leading into the cave poses a definite danger for inexperienced or under equipped persons. This cave is highly visited and many formations have been chipped and broken to allow for easier entrance.
Cave 052	1,100±10 ft	This cave is a 60m stream passage that Coyote Creek flows through. This underground passage averages 10m wide and 3m in	Inscriptions on walls and formations. Most delicate formations have been broken.

Table E-1: Summary of Characteristics of Caves Identified within the Management Area
(continued)

Cave Identification #	Elevation	Description	Safety Issues/Existing Damage
		height.	
Cave 053	1,200±20 ft	A sloping fissure 10m long, 8m tall and 1m wide.	None
Cave 057	1,500 ft	It was described by Squire (1972) as a small cave near the “rock pile”	None
Cave 058	1,560±20 ft	A 1m wide 4m long fissure entrance leads down 15m to a room 5m long and 3m wide. Two long passage ways extend from the room for 22m and 12m. A short crawlway connects to another room 3m by 3m with a long “L” shaped passage 19m long.	Dangerous vertical fissure entrance. Recent inscriptions are written over historic signatures dating to 1851.
Cave 062	1,560±40 ft	The 0.3m by 1m entrance leads into a fissure filled with soil.	None
Cave 072	1,420±20 ft	A small entrance leads down a sloping passage 7m to a room 5m high. A tight passage leads to another small room.	
Cave 073	1,560±10 ft	The 1m entrance slopes downward for 4m where three 12m drops are encountered and a final 13m drop.	The cave is vertical and very steep.
Cave 079	1,560±40 ft	A 1.3m by 0.7m entrance lead down a tube for 2m to a dirt filled fissure 6m long, 7m wide, and 2m high.	None
Cave 085	1,060±10 ft *	Coyote Creek flows through a bridge, the entrances are 8m by 7m and 8m by 3m. The passage is 70m in length.	Coyote Creek is deep and it is necessary to swim to enter this cave. The effects of visitation are present, Garbage, worn paths, and broken formations.
Skunk Gulch Study Area			
Cave 002	524±1m (1,720±2ft)	Tight entrance (50cm x 75cm), L shaped room (4m x 1.5m).	Cave 002 has a 16m drop requiring technical assistance.
Cave 004	479±6m (1570±20ft)	11.8m x 0.8m entrance drops to two separate passageways; lower passage is narrow 7m drop. Upper passage is narrow 20m drop.	Bad air was encountered 20m below the entrance.
Cave 006	473±3m (1,560±10ft)	Entrance (0.8m x 1.7m) leads to a tight squeeze followed by vertical 10m tube passage leads to a 1m wide 12m long fissure	The entrance is a vertical passage 10m in depth.

Table E-1: Summary of Characteristics of Caves Identified within the Management Area
(continued)

Cave Identification #	Elevation	Description	Safety Issues/Existing Damage
Cave 011	1,570±20 ft	Entrance 2m by 1m drops vertically to a ledge at the top of a dirt slope. A passage along the dirt slope is 3m to 5m in diameter and continues for 4m before pinching out.	None
Cave 018	1,640±40 ft	Entered through a vertical fissure 1.5m wide and 2m long and drops 9m to the top of a talus cone where a large room is encountered.	The 9m drop from the entrance could be dangerous for casual unequipped visitors.
Cave 023	1,700±25 ft	The 0.7m by 0.5m entrance opens into a 7m drop. The drop leads to a room 5m long and 7m wide.	Names and dates have been inscribed in the wall ranging from 1902-1970.
Cave 027	1,800±10 ft	The entrance is 1m high and .45m wide and leads to two short drops (6m deep) which connect to two small rooms. A series of 10m long drops lead to a large room at the bottom of the cave.	Dangerous for inexperienced climbers. A few broken stalactites and inscription on walls.
Cave 034	1,690±25ft	The 0.8m by 0.3m entrance leads down a small vertical fissure for 7m to a room 3m long and 2.5m wide.	None
Cave 035	1,700±10 ft	The small entrance drops vertically for 4m into a small room 2m wide and 4m long.	None
Cave 037	1,680±10 ft	The 1m by 2m entrance drops 7m to a dirt slope. A room is located at the bottom of the slope.	The cave has a vertical drop of 7m.
Cave 041	1,740±20 ft	The cave is series of vertically orientated fissures located in a 2m by 3m depression on a hillside. About 30m below the entrance the cave terminates in a 4m by 1.5m room.	None
Cave 045	1,700±25 ft	The 1.5m by .5 m entrance leads down a 10m passage down to a crack jammed with rubble. The rubble was removed to gain access and a passage 35m lead down to a 1m floor.	None
Cave 064	1,760±10 ft	A large entrance pit 3m long, 2m wide, and 7.5m deep leads to a large room 9m in height and 6m wide	The cave entrance has a 7.5 m drop. 35% of the stalactites have been broken off.

Table E-1: Summary of Characteristics of Caves Identified within the Management Area
(continued)

Cave Identification #	Elevation	Description	Safety Issues/Existing Damage
Cave 081	1,525±3	A 2m wide entrance and 0.5 m high leading to a small crack that is too small for human access.	None
Grapevine Gulch Study Area			
Cave 009	1,980±20 ft	The entrance is a sinkhole 3m by 3m, which leads through a crawlway to a large room, another passage leads into a low room 3m by 10 m.	Many formations in the entrance room are broken.
Cave 022	1,960±20 ft	This cave is series of short drops entered though a 0.9m by 0.3m fissure and ending in a small room 20m below ground surface in a small room.	Hazards are vertical drops and rock fall.
Cave 028	1,875±20 ft	The entrance is located at the bottom of a large sinkhole and is 4m wide and leads to a chamber 20m long. Two crawlways from this room each terminate.	None
Cave 040	1,910±30 ft	The cave is a series of vertically orientated fissures dropping 3m to rubble and earth floor.	None
Cave 043	1,920±10 ft	This cave is entered through a large dioline made of breakdown blocks. This entrance leads to a breakdown room with two passages. The passage straight from the entrance is 12m in length and ends in three small rooms. From the right in the breakdown room a passage leads 5m long leads to a large room 30m x 20m x 5m.	Many of the formations have been broken including stalactites and columns.
Cave 060	1,200±6 ft	The 3 by 1m entrance leads to a single passage 4 m long	None
Cave 065	1,790±40 ft	The cave has an entrance at either end. The north entrance leads to a room with a sloping dirt floor which connects with another room 7m long, then narrows. A small crawlway leads to another room leading to the south entrance.	Broken formations.
Cave 066	1,930±15 ft	A 1m entrance leads to an 8m drop leading to a chamber 7m wide and 5m long.	Small entrance leads to an opening and 8m drop needing technical assistance.

Source: BLM 1978

APPENDIX F
RANGER POLICY AND HAZARD MARKING PROGRAM

CC-160
SAF-1.00

CCAO Safety Letter No. 03-12
Expiration Date: 01-13-05

MEMORANDUM

To: Resource Managers

From: Thomas J. Aiken
Area Manager

Subject: Waterway Marking Plans

Purpose: To establish a policy for marking waterway hazards at Lake Berryessa and New Melones Lake.

Effective Date: June 1, 2003

Policy: Waterway markers as described in Title 14 of the California Code of Regulations, Section 7002(b) shall be used on Lake Berryessa and New Melones Lake. This uniform system employs regulatory markers (buoys and signs) with distinctive standard shapes to convey an official message to a boat operator.

- A. A diamond shape of international orange with white center indicates danger. The nature of the danger may be indicated by words or well-known abbreviations in black letters inside the diamond shape, or above and/or below it on white background.
- B. A diamond shape of international orange with a cross of the same color within it against a white center without qualifying explanation indicates a zone from which all vessels are excluded.
- C. A circle of international orange with a white center will indicate a control or restriction. The nature of the control or restriction shall be indicated by words, numerals, and/or well-known abbreviations in black letters inside the circle. Additional explanation may be given above and/or below it in black letters on white background.
- D. A rectangular shape of international orange with white center will indicate information, other than a danger, control or restriction, which may contribute to

health, safety, or well being. The message will be presented within the rectangle in black letters.

The uniform waterway markers are illustrated in the attached depiction published by the State of California, Department of Boating and Waterways.

Waterway Marking Plan: A written waterway-marking plan will be developed for Lake Berryessa and New Melones Lake. The plan will identify restriction zones, danger areas and, identify the types and locations of markers. The location of markers will be expressed in latitude and longitude, or in distance and direction from objects of known location.

The Resource Manager at each reservoir will ensure the plans are developed and updated as necessary.

Annual Survey of Hazards: Resource Managers will ensure an annual survey is performed to determine potential waterway hazards that need to be included in the plan. The survey will identify hazards that appear as lake water levels fall and rise. The survey should be accomplished and hazardous locations recorded utilizing the Geographic Information System and Global Positioning System.

All locations that meet the conditions described in item D below will be recorded.

Waterway Marker Placement: When markers are placed, they should be consistent with the written plan and identify the following areas.

- A. Established No Wake Zones
- B. Established No Boat Zones/No Motorized Boat Zones
- C. Established Speed Zones
- D. Established Danger Areas – Danger Areas may be established and marked if one or more of the following conditions exist:
 - (1) The waterway obstruction is located in the main body of the lake where boaters typically travel at cruising speed.
 - (2) The waterway obstacle is greater than 200' from the shoreline.
 - (3) The waterway obstacle is a sub-surface landmass that is expected to be within 5' of the surface during the recreation season.
 - (4) There is a history of boats striking the obstacle.

Maintenance of Waterway Markers: Waterway markers placed in accordance with written plans will be maintained in proper condition. If a marker is damaged or becomes ineffective, the

marker will be removed. The marker will be replaced provided funding and human resources are available to replace the marker.

If a marker cannot be replaced, documentation must be filed (with the plan) describing the reason(s) for the change. In addition, the plan will be updated.

Concession-Managed Areas: Concessionaires will be bound to identify hazards per concession agreements. Additional hazards that remain will be marked as above by Reclamation.

Department of Boating and Waterways Review: The waterway-marking plan will be sent to the Department for review and comment.

Local Law Enforcement: Written waterway marking plans will be shared with local law enforcement agencies that patrol Lake Berryessa or New Melones Lake.

Notification of Hazards: Established boat launching ramps will be signed to inform the visiting public of the potential hazards of fluctuating water levels and illustrate the types of waterway markers used on the lake.

Questions or comments on this policy should be directed to David Bishop at 916-989-7261.

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APPENDIX G
PHOTOGRAPHIC LOG



Photograph 1. Oak woodland within the Texas Charlie Planning Area and Bear Mountain in the background.



Photograph 2. Steep slopes along the North Fork of the Stanislaus River near Rose Creek.



Photograph 3. Limestone formation in the North Fork of the Stanislaus River (primary location of caves).



Photograph 4. View of Table Mountain from the lake.



Photograph 5. Annual grassland and oak woodland in the Peoria Wildlife Management Area.



Photograph 6. Oak woodland and chaparral.



Photograph 7. Southeast slope of Table Mountain.



Photograph 8. View to the southeast on top of Table Mountain.



Photograph 9. View from Highway 49 Vista Point of the Highway 49 bridge and New Melones Lake.



Photograph 10. Upper Stanislaus River and riparian vegetation-Clark Flat Planning Area.



Photograph 11. Northwest view of Glory Hole Marina from the lake.



Photograph 12. View of New Melones Lake with and powerline ROW from Table Mountain.



Photograph 13. View from New Melones Dam of the outflow area.



Photograph 14. View of Carson Hill Mine from the New Melones Visitor Center.



Photograph 15. View of the western side of Table Mountain.



Photograph 16. Day Use Area.



Photograph 17. Water scars along shoreline.



Photograph 18. Glory Hole Marina.



Photograph 19. Spillway.



Photograph 20. Mined hillsides along the North Fork of the Stanislaus River.



Photograph 21. Glory Hole Marina



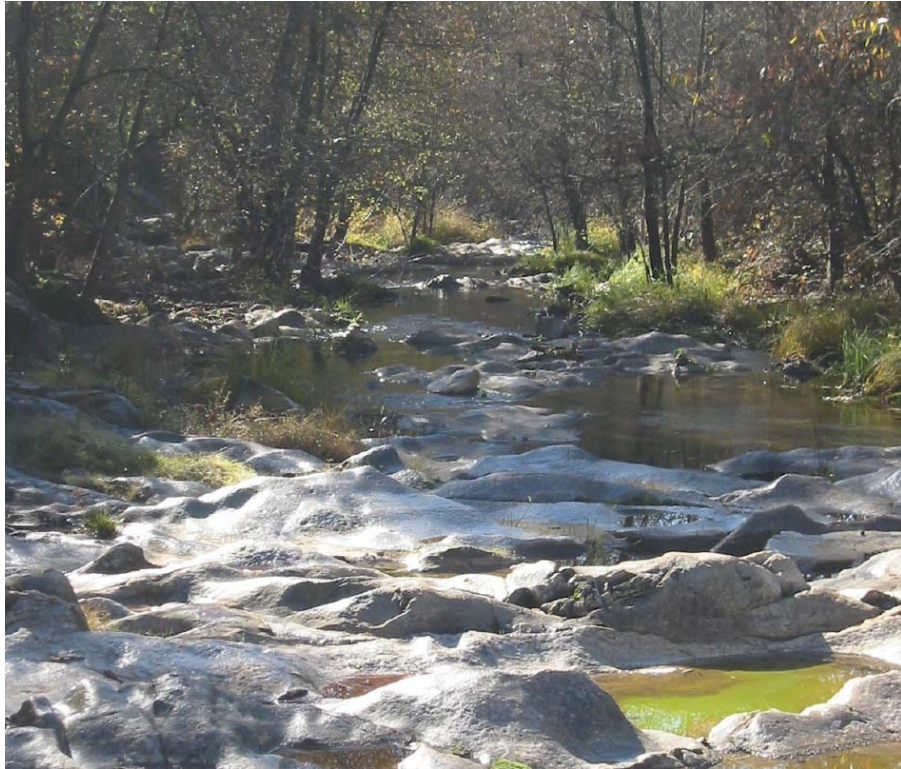
Photograph 22. Bass Fishermen



Photograph 23. Tent Camping



Photograph 24. Crowded Conditions, Natural Bridges



Photograph 25. Limestone Outcrop at Coyote Creek



Photograph 26. Shell Road, Trespassing and Vandalism Damage



Photograph 27. Illegal Dumping.



Photograph 28. Annual Grasslands and Oak Woodland, Bowie Flat.

APPENDIX H
RECREATION FACILITIES 2007

Table H-1: New Melones Lake Area Recreation Facilities 2007																																	
	Glory Hole Recreation Area												Tuttletown Recreation Area										HQ	Undeveloped Areas									
	New Melones Marina	Iron Horse Campground	Big Oak Campground	Tower Climb Trail	Carson Creek Trail	Buck Brush Day Use	Black Bart Day Use	Osprey Point Day Use	Angels Creek Swim Area	Angels Creek Boat Ramp	Angels Fish Cleaning Station	Glory Hole Point Boat Ramp	Acorn Campground	Manzanita Campground	Chamise Campground	Fiddleneck group camp	Oak Knoll group camp	Lupine Day Use Area	Heron Point Day Use	Eagle Point Group Picnic Area	Tuttletown Boat Ramp	New Melones Administration	Mark Twain	Old Town of Melones	Chaparall Basin	Peoria	Bear Creek	French Flat	Natural Bridges	Parrotts Ferry	Camp Nine		
Facilities:																																	
Access and Parking																																	
Paved Parking Spots (#)	97	10	24	0	0	20	44	39	0	196	118	126	12	2	6	0	10	44	40	96	141	31	0	10	0	0	0	0	0	30	0	0	
Unpaved Parking Spots (#)	20	0	0	13	14	0	0	0	48	0	0	460 *	0	4	0	12	0	0	0	0	350 *	0	60 *	8	10	36	4	0	0	20	90		
Access Roads (Paved)P (Unpaved)U	P/U	P	P	U	U	P	P	P	U	P	P	P	P	P/U	P/U	P	P	P	P	P	P	P	P	P	P/U	U	P/U	U	U	P	P/U	P	
Launch ramp boat lanes (#)	0	0	0	0	0	0	0	0	0	6	0	7	0	0	0	0	0	0	0	0	7	0	2	2	0	0	0	0	0	2	0		
Courtesy Docks (#)	0	0	0	0	0	0	0	0	0	2	0	3	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	
Day Use Facilities																																	
Picnic sites with grills (#)	0	0	0	0	0	0	19	20	9	11	0	0	0	0	0	6	0	14	18	10	0	1	0	0	0	0	0	0	0	0	0	0	
Picnic sites without grills (#)	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	2	0	1	0	0	0	2	0	0	0	0	0	0	4	0	0		
ADA Picnic Area (Yes or No)	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	
Over Night Facilities																																	
Standard Sites (#)	0	67	55	0	0	0	0	0	0	0	0	0	68	42	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Walk-in Sites (#)	0	20	0	0	0	0	0	0	0	0	0	0	0	12	26	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Group Sites (#)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6	10	0	0	0	0	0	0	0	0	32	0	0	0	0	0	0	
ADA Campsites (#)	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Camp Host Sites (#)	0	1	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Support Facilities																																	
Restrooms with flush toilets (#)	1	4	3	0	0	1	1	1	0	nearby	1	0	1	2	2	nearby	0	1	1	nearby	1	1	0	0	0	0	0	0	0	0	0	0	
Restrooms with showers (#)	0	3	2	0	0	0	0	0	0	0	0	0	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Portable Toilets (#)	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	
CXT Vault Restrooms (#)	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	1		
Potable Water (Yes or No)	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes	nearby	Yes	Yes	No	No	No	No	No	No	No	No	No	No	
Dump Station (Yes or No)	No	No	No	nearby	No	No	No	No	No	No	No	No	No	No	No	nearby	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	
Fish Cleaning Station (Yes or No)	No	No	No	No	No	No	No	No	No	Yes	Yes	No	No	No	No	nearby	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	
Pay Phone (Yes or No)	Yes	No	No	No	Yes	No	No	No	No	No	No	No	No	No	No	nearby	No	Yes	No	No	No	Yes	No	No	No	No	No	No	No	No	No	No	
Floating Lake Restrooms (#)	4 floating restrooms on the lake																																
Miscellaneous																																	
Play Ground (Yes or No)	No	Yes	No	No	No	No	No	No	No	No	No	No	No	nearby	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	
Boat Rentals (Yes or No)	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	
Boat Mooring Facilities (Yes or No)	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	
Store (Yes or No)	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	
Amphitheater (Yes or No)	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	
Equestrian Staging area (Yes or No)	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	Yes	No	No	No	No	No	No	
* Indicates that these parking spaces are only used during lower lake levels																																	